

Appl. No. 11/664,560
Docket No. 9364
Amdt. dated July 29, 2008
Reply to Office Action mailed on May 29, 2008
Customer No. 27752

REMARKS

Claim Status

Claim 1 is amended to define the claimed invention with greater specificity by reciting that the multi-ply product is a rolled multi-ply product comprising a tail that is glued using a tail seal glue to another portion of the multi-ply product such that at least a portion of a consumer accessible tab present in the multi-ply product is more proximal to the tail end of the multi-ply product than the tail seal glue. Support for this amendment is found in the Specification at page 6, lines 12-16 and in the Claims as originally filed.

Claims 2 and 12 is amended to be consistent with Claim 1, as amended.

Claims 3-4 are cancelled without prejudice.

Claims 1, 2, 10-12, 14 and 15 are pending in the present application. No additional claims fee is believed to be due.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §103(a) Over U.S. Patent Nos. 3,960,272 and 3,912,571

Claims 1-4, 10-12, and 14-15 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over U.S. Patent Nos. 3,960,272 and 3,912,571 both to Hartbauer, et al. ("Hartbauer"). The Examiner asserts that Hartbauer teaches a multi-ply product comprising a multi-ply fibrous structure having a core end and a tail, wherein the tail comprises a consumer accessible tab.

Applicants respectfully submit that Hartbauer fails to teach each and every element of Claim 1, the independent claim, as amended, because Hartbauer fails to teach that a multi-ply product comprising a consumer accessible tab wherein at least a portion of the consumer accessible tab is more proximal to the tail end of the multi-ply product than tail seal glue that bonds the tail of the multi-ply product to a portion of the roll. As shown in Figs. 11-15, since Hartbauer's multi-ply product is folded back and tail sealed

Appl. No. 11/664,560
Docket No. 9364
Amdt. dated July 29, 2008
Reply to Office Action mailed on May 29, 2008
Customer No. 27752

down, there is no way that any “consumer accessible tab” that Hartbauer may teach is more proximal to the tail seal glue than the consumer accessible tab.

In light of the foregoing, Applicants respectfully submit that Claim 1, as amended, is not rendered obvious over Hartbauer. MPEP 2143.03. Further, Applicants submit that Claims 2, 10-12 and 14-15 (Claims 3 and 4 have been cancelled), as amended, are not rendered obvious over Hartbauer for the same reasons that Claim 1, as amended, is not rendered obvious over Hartbauer. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent Nos. 3,960,272 and 3,912,571 and further in view of U.S. Patent No. 6,924,042

Claims 1-4, 10-12, and 14-16 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Hartbauer, discussed above, and further in view of U.S. Patent No. 6,924,042 B2 to Von Paleske (“Von Paleske”). The Examiner asserts that it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use as the multi-ply fibrous structure product of Hartbauer, a multi-ply fibrous product of the type taught by Von Paleske, wherein the first and second plies are bonded together.

Applicants respectfully submit that Claim 1, as amended, is not rendered obvious over Hartbauer in view of Von Paleske for the same reasons that Claim 1 is not rendered obvious over Hartbauer alone. MPEP 2143.03. Further, Applicants submit that Claims 2, 10-12 and 14-15 (Claims 3 and 4 have been cancelled), as amended, are not rendered obvious over Hartbauer in view of Von Paleske for the same reasons that Claim 1, as amended, is not rendered obvious over Hartbauer in view of Von Paleske. MPEP 2143.03.

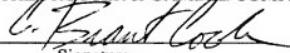
Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Appl. No. 11/664,560
Docket No. 9364
Amdt. dated July 29, 2008
Reply to Office Action mailed on May 29, 2008
Customer No. 27752

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 

Signature

C. Brant Cook

Registration No. 39,151
(513) 983-1004

Date: July 29, 2008
Customer No. 27752
(Amendment-Response to Office Action.doc)
Revised 11/17/2006